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SUBJECT: VPOTUS MEETING WITH UNAMI ACTING SRSG GILMOUR

Classified By: Classified by Ambassador Christopher R. Hill for reasons
1.4 (b) and (d)

Summary

[1](#)1. (U) September 16, 2009; 2:30 p.m.; Baghdad, Iraq.

[1](#)2. (U) Participants:

U.S.
Vice President Joseph Biden
Ambassador Christopher R. Hill
GEN Raymond Odierno, Commanding General MNF-I
Tony Blinken, National Security Advisor, OVP
James Steinberg, Deputy Secretary of State
Colin Kahl, DASD
Herro Mustafa, Special Advisor to the Vice President
Molly Phee, National Security Council Director
Colonel Dominic Caraccilo, Executive Officer
Kate Wiehagen Leonard, Embassy Notetaker

UNAMI
Andrew Gilmour, Acting SRSG, UNAMI
Sandra Mitchell, Chief Technical Advisor, UNAMI Electoral
Assistance Team
Stephanie Khoury, Political Officer, UNAMI

[1](#)3. (C) SUMMARY. UNAMI Acting SRSG Andrew Gilmour predicted to the Vice President that elections will take place on time, but that parliamentarians are likely to opt for an unambitious amendment of the 2005 election law and that Kirkuk's voter registry will remain central to the ongoing election law debate. On overall Arab-Kurd issues, Gilmour reported slow but steady progress in the High Level Task Force, noting that the process was keeping key players engaged in a process of low-risk concessions. The Vice President expressed his desire that this process continue in the run up to national elections. On hydrocarbons legislation, Gilmour suggested that revenue-sharing be agreed in a Constitutional amendment. Gilmour told the Vice President that Iraqi-Syrian relations were best addressed by others at the UN and not by UNAMI in Baghdad. END SUMMARY.

Elections

[1](#)4. (C) Asked about prospects for Iraq's national elections, UNAMI's Acting SRSG, Andrew Gilmour, predicted that Iraq's elections would take place on time, but that Parliament was unlikely to pass a wholly new election law this fall. Instead, Gilmour said that Parliament was most likely to make minimal amendments to the 2005 election law to allow the Independent High Electoral Commission (IHEC) to continue its preparations. Gilmour noted that Sandra Mitchell, the head of the UNAMI Electoral Assistance Team was embedded at IHEC and guiding its work daily. Gilmour told the Vice President that UNAMI remained concerned that some political actors were

seeking to delay the elections. He cited the debate over voter eligibility in Kirkuk as an example of a delay tactic. Gilmour also said the UN is monitoring with concern the Parliamentary summons of the IHEC Chairman for questioning and rumored interest in removing members of the IHEC Board, possibly as an indirect effort to prevent timely elections. In a subsequent sidebar, Mitchell underscored her concerns that such pressure is unhelpfully interfering with IHEC's needed focus on preparing for elections and asked for U.S. support for IHEC with the Parliament.

15. (C) The Vice President raised the issue of voting for refugees outside of Iraq. Mitchell explained that IHEC had plans for refugee voting, which Iraq calls "Out of Country Voting" (OCV), but warned that preparations needed to begin immediately. The August 19 bombing of the Foreign Ministry delayed efforts to establish bilateral agreements to govern OCV. Asked about who was pushing for OCV, Gilmour said that because it was in the 2005 election law, most Iraqis assume it would take place again. Mitchell recommended a more modest approach than the one taken in 2005, when 15 countries participated in OCV. Given limited time and funding, Mitchell said it would be practical for OCV take place only in bordering countries where most Iraqi refugees live, and possibly in Sweden. Mitchell also predicted that internally displaced persons would be allowed to vote. The Deputy Secretary raised the possibility that those Iraqis resident in Syria would not vote because participation in the election could put their refugee status at risk.

Kirkuk's Voter Registry

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16. (C) The Vice President pressed Gilmour on a solution for voting in Kirkuk province, noting that there seemed to be a question about who might vote in Kirkuk under either a new election law or an amended version of the 2005 law. Gilmour explained that the central solution was to assure Arabs and Turkomen that the current voter registry would not be used as a basis for future events, such as Kirkuk's delayed provincial elections or a referendum on whether the province should become part of the Kurdistan Region. According to Gilmour, Arabs and Turkomen acknowledge that the influx of Kurds into Kirkuk over the past five years will likely result in the Kurds winning most of the seats from Kirkuk in the national elections. To address the voter registry question, UNAMI recommended development of an "innocuous clause" stipulating that the voter registry used in Kirkuk for the national elections would not be used again for any other electoral event. He added that, in a worst case scenario, UNAMI could accept the idea of quota seats for representatives from Kirkuk, as some have suggested, but UNAMI would prefer not to do it.

Arab-Kurd Relations

17. (C) Gilmour offered his view that behind the debate on election rules in Kirkuk lay a larger assumption that few contested: Arabs and Turkomen fear that ultimately the United States will support the Kurdish efforts to annex Kirkuk into the Kurdistan Region. The Ambassador observed that the Arabs and the Kurds both seem to harbor that idea. Gilmour predicted that concerns over Kirkuk would continue to slow national progress -- as seen during efforts to hold provincial elections, the nationwide census, and national elections -- until this underlying fear could be assuaged. With pre-election rhetoric and tension intensifying, the United States should indicate that it will not support a Kurd-controlled Kirkuk, Gilmour advised. The Vice President acknowledged the importance of this problem, and agreed that

we will tell the Kurds we support a confirmatory referendum over a decisional one, but agreed with GEN Odierno that it would be better to wait until after the national elections to tell the Kurds that they will have to compromise on the status of Kirkuk. The Vice President expressed his desire to keep efforts focused on maintaining momentum in UNAMI's High Level Task Force (HLTF) and in ensuring that Arabs and Kurds continue to make low-risk concessions before January. The Ambassador emphasized that he was encouraging all sides to stay engaged in the HLTF.

Hydrocarbons Revenue-Sharing

18. (C) Gilmour offered an idea on how to bypass the current lack of support for the package of hydrocarbon laws. In UNAMI's view, the Arabs did not support the hydrocarbons package because they feared it could be circumvented by the language in the future Kurdistan Regional Constitution. Gilmour proposed solving this problem by creating an amendment to the Iraqi constitution on revenue sharing. The goal of such an approach would be to provide a mechanism for revenue-sharing that all sides could trust. Gilmour also noted that revenue-sharing is the only subject which the Kurds believe should be handled nationally vice regionally. The Ambassador noted that a mutually acceptable agreement on revenue-sharing could "take oil out of the equation" for Arabs and Kurds. U.S. participants agreed to consider the feasibility of a constitutional amendment.
Qfeasibility of a constitutional amendment.

Syria

19. (C) The Ambassador asked Gilmour for his views on the role the UN could play in addressing the current dispute between Iraq and Syria, and in particular, regarding Iraq's request that the UN Security Council launch an inquiry into the August 19 bombings. Gilmour thought issues between Iraq and Syria would best be handled from New York and expressed concern that if UNAMI in Baghdad were to be directly involved with these issues, it might make UNAMI vulnerable to attacks from those who wanted to discredit UNAMI's work in Iraq.

MEK

110. (C) The Vice President also raised a possible UNAMI role in helping the GOI resolve the outstanding issue of the

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Mujahideen-e-Kalq (MEK). Gilmour said that UNAMI would like to help. All concurred on the difficulty of successfully managing this issue.
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